

May 13 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANAIN THE SUPREME COURT OF THE STATE OF MONTANA  
Case No. DA 09-0578

FILED

MAY 13 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

HERMAN GONZALES, et al.,

Plaintiffs and Appellees,

-VS-

MONTANA POWER COMPANY, et al.,

**ORDER**

Defendants and Appellants.

Based upon the Stipulation for Reinvestment of Jurisdiction signed by the Appellees and two of the Appellants, NorthWestern Corporation, as a reorganized debtor, and Putman and Associates, Inc., it is the Court's understanding that appellate mediation has resulted in a partial settlement of the District Court case, herein on appeal.

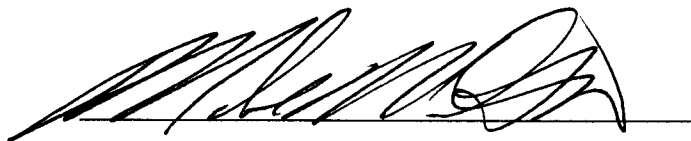
By stipulation, the settling parties request removal of the appellate stay to allow reinvestment of jurisdiction in the State District Court, Silver Bow County, Judge Kurt Krueger presiding, for purposes of approval and supervision of the conditional settlement.

IT IS HEREBY ORDERED that pursuant to the Stipulation For Reinvestment of Jurisdiction and good cause appearing therefore, the appellate stay is removed and

jurisdiction is reinvested with the State District Court, Silver Bow County, in cause number DV-98-253, for the purpose of implementing settlement between the stipulating parties. The Defendant/Appellant Montana Power Company is not a party to this partial settlement. The current, ongoing appeal by the Montana Power Company in this court, is not affected by this partial settlement involving other Defendant/Appellants.

IT IS FURTHER ORDERED that a report be filed with this Court on the status of the District Court settlement proceedings within 90 days of this order.

DATED this 15<sup>th</sup> day of May, 2010.

  
Chief Justice

c: Lon J. Dale  
Chris J. Ragar  
Oliver H. Goe/Chad Adams/Chad Vanisko  
Jason S. Ritchie/Jeanne M. Bender  
Joe Siefert  
Tracy Axelberg